

**PLANNING COMMISSION AGENDA**  
**CITY OF NEWPORT BEACH**  
**COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD**  
**Thursday, October 20, 2011**  
**Regular Meeting – 4:30 p.m.**

**CHARLES UNSWORTH**  
Chair

**MICHAEL TOERGE**  
Vice Chair

**BRADLEY HILLGREN**  
Secretary

**ROBERT HAWKINS**

**FRED AMERI**

**KORY KRAMER**

**JAY MYERS**

Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:

**KIMBERLY BRANDT, Community Development Director**

**BRENDA WISNESKI, Deputy Community  
Development Director**

**JAMES CAMPBELL, Principal Planner**

**LEONIE MULVIHILL, Assistant City Attorney**

**GREGG RAMIREZ, Acting Planning Manager**

**TONY BRINE, City Traffic Engineer**

**MARLENE BURNS, Administrative Assistant**

**ROSALINH UNG, Associate Planner**

**KAY SIMS, Assistant Planner**

**MELINDA WHELAN, Assistant Planner**

**NOTICE TO THE PUBLIC**

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. Staff reports or other written documentation have been prepared for each item of business listed on the agenda. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200. The agendas, minutes and staff reports are also available on the City's web site at: <http://www.newportbeachca.gov>.

This committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or [lbrown@newportbeachca.gov](mailto:lbrown@newportbeachca.gov)).

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

**APPEAL PERIOD:** Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

**NEWPORT BEACH PLANNING COMMISSION AGENDA**  
**Council Chambers – 3300 Newport Boulevard**  
**Thursday, October 20, 2011**  
**REGULAR MEETING**  
**4:30 p.m.**

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

**D. PUBLIC COMMENTS**

*Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three minutes. Before speaking, please state your name for the record and print your name on the tablet provided at the podium.*

**E. REQUEST FOR CONTINUANCES**

**F. CONSENT ITEMS**

**ITEM NO. 1** Minutes of September 22, 2011

**ACTION:** Approve and file.

**G. PUBLIC HEARING ITEMS**

**ALL TESTIMONY GIVEN BEFORE THE PLANNING COMMISSION IS RECORDED. SPEAKERS MUST LIMIT REMARKS TO THREE MINUTES ON ALL ITEMS.** (Red light signifies when three minutes are up; yellow light signifies that the speaker has one minute left for summation.) Please print only your name on the pad that is provided at the podium.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Community Development Department, Planning Division located at 3300 Newport Boulevard, during normal business hours.

**ITEM NO. 2** Newport Beach Country Club - Golf Realty Fund (PA2005-140)  
1600 and 1602 East Coast Highway

**SUMMARY:** Planned Community Development Plan, Vesting Tentative Tract Map, Transfer of Development, Development Agreement, Limited Term Permit, and a Site Development Review for the redevelopment of the Newport Beach Country Club and tennis club. Development would include a new 35,000 square foot golf clubhouse and parking lot, a new 3,725 square-foot tennis club house and parking lot, 7 tennis courts including a new stadium court; 27 hotel rooms with a 2,170 square foot concierge and guest center, a 7,490 square foot spa facility, and 5 single-family residential units.

**CEQA**

**COMPLIANCE:** An Initial Study and Mitigated Negative Declaration (MND) have been prepared by Keeton Kreitzer Consulting in compliance with the Environmental Quality Act (CEQA), the State CEQA Guidelines, and City Council Policy K-3. The MND indicates that the potential adverse environmental impacts of the project, in terms of Cultural Resources, Geology and Soils, Noise, and Transportation/Traffic could be mitigated to below levels of significance. The Draft MND was circulated for public comment from September 20 to October 19, 2010.

**ACTION:**

- 1) Conduct a public hearing and direct staff to prepare a resolution recommending the following:
  - a) Approval of the Mitigated Negative Declaration,

- b) Adoption of Planned Community Development Plan as proposed by staff,
- c) Approval of Tentative Vesting Tract Map, Transfer of Development Rights, Development Agreement, and Limited Term Permit, and
- d) Approve Site Development Permit for the improvements to the Tennis Club portion of the project site only.

2) Continue the hearing to November 3, 2011, for the adoption of the resolution.

**ITEM NO. 3**

Newport Beach Country Club – Newport Beach Country Club, Inc. (PA2008-152)  
1600 East Coast Highway

**SUMMARY:**

General Plan Amendment, a Planned Community Development Plan, a Development Agreement, a Limited Term Permit, and Site Development Review for the redevelopment of the Newport Beach Country Club. Development would include the construction of a new 54,819 square-foot clubhouse, parking lot and ancillary storage and maintenance facilities.

**CEQA  
COMPLIANCE:**

An Initial Study and Mitigated Negative Declaration (MND) have been prepared by Keeton Kreitzer Consulting in compliance with the Environmental Quality Act (CEQA), the State CEQA Guidelines, and City Council Policy K-3. The MND indicates that the potential adverse environmental impacts to the project, in terms of Cultural Resources, Geology and Soils, Noise, and Transportation/Traffic could be mitigated to below levels of significance. The Draft MND was circulated for public comment from October 7, 2010, to November 8, 2010.

**ACTION:**

- 1) Conduct a public hearing and direct staff to prepare a resolution recommending the following:
  - a) Approval of the Mitigated Negative Declaration,
  - b) Approval of General Plan Amendment, Development Agreement, Limited Term Permit, and
  - c) Adoption of an amendment to Planned Community Development Plan No. PC2005-002 (staff's alternative PCDP) reflecting the increase in intensity for the larger golf clubhouse,
  - d) Approval of Site Development Review application as proposed by the applicant, and
- 2) Continue the hearing to November 3, 2011, for the adoption of the resolution.

**ITEM NO. 4**

Appeal of Lot Merger (PA2011-141)  
2808 and 2812 Ocean Boulevard

**SUMMARY:**

An appeal of the Zoning Administrator's decision to approve Lot Merger No. LM2011-002, which allowed the merger of portions of Lots 4, 5, and 6 of Block 34 located in Corona del Mar, under common ownership, for the purpose of development of a new single family residence. The decision also included approval of a request to waive the requirement to file a parcel map.

**CEQA  
COMPLIANCE:**

If upheld and approved, then this project is exempt from CEQA, pursuant to Section 15305 (Class 5 Minor Alterations in Land Use Limitations) of the Implementing Guidelines of the California Environmental Quality Act (CEQA), which consists of projects with minor alterations in land use limitations in areas with an average slope of less than twenty (20%) percent, which do not result in any changes in land use or density, including minor lot line adjustments not resulting in the creation of any new parcel. This project is consistent with these requirements.

If reversed and denied, the project is not subject to the California Environmental Quality Act (CEQA) review, pursuant to Section 15270 of the CEQA Guidelines.

- ACTION:**
- 1) Conduct a de novo public hearing; and
  - 2) Uphold or reverse the decision of the Zoning Administrator and adopt a Resolution for Lot Merger No. LM2011-002.

**ITEM NO. 5** Lido Village Design Guidelines (PA2011-148)  
Guidelines would affect future projects within the Lido Village area generally bounded by Newport Boulevard, 32<sup>nd</sup> Street and Newport Harbor

**SUMMARY:** The City Council Ad-Hoc Neighborhood Revitalization Committee, with full City Council support, has initiated and fostered the preparation of architectural and landscape design guidelines that would be applied to properties within the Lido Village area.

**CEQA COMPLIANCE:** The proposed action is not defined as a project and does not require environmental review under the California Environmental Quality Act (CEQA) because it involves general policy and procedure making activities not associated with a project and does not have the potential for resulting in a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment (Section 15378 of the CEQA Guidelines). The adoption of design guidelines does not authorize any specific development or project and would only provide non-regulatory design guidance for future projects that would be subject to CEQA.

- ACTION:**
- 1) Provide a public forum to review and comment on the draft design guidelines.
  - 2) Recommend adoption of the design guidelines to the City Council.

**ITEM NO. 6** Pizzeria Mozza - (PA2011-139)  
800 West Coast Highway

**SUMMARY:** An appeal of the Zoning Administrator's approval of Minor Use Permit No. UP2011-023 to amend existing Use Permit 3542 which allowed an upgrade to the existing Type 41 On-Sale Beer and Wine ABC license to a Type 47 On-Sale General (Beer, Wine & Distilled Spirits) ABC License and reduced the allowed hours of operation for the interior of the restaurant from 12:00 midnight, daily to 11:00 p.m., daily. Allowed hours of the outdoor dining area would remain 10:00 p.m., daily. No other changes to the existing restaurant operations are proposed or requested.

**CEQA COMPLIANCE:** If upheld and approved, then this project is exempt from CEQA, pursuant to Section 15301 (Class 1 – Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, which exempts minor alterations to existing facilities that involve negligible expansion of the use.

If reversed and denied, then the project is not subject to the California Environmental Quality Act ("CEQA") review, pursuant to Section 15270 of the CEQA Guidelines.

- ACTION:**
- 1) Conduct a de novo public hearing; and
  - 2) Uphold or reverse the decision of the Zoning Administrator and adopt a Resolution for Minor Use Permit No. UP2011-023.

**H. NEW BUSINESS**

**I. STAFF AND COMMISSIONER ITEMS**

**ITEM NO. 7** Community Development Director's report.

**ITEM NO. 8** Announcements on matters that Commission members would like placed on a future agenda for discussion, action, or report.

**ITEM NO. 9** Request for excused absences.

**ADJOURNMENT**